

TRIAL MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

T L E D
Clerk
District Court

CR-05-00004

March 02, 2006
9:05 a.m.

MAR 02 2006

For The Northern Mariana Islands

United States of America -vs- Fermina Atalig
By _____
(Deputy Clerk)

PRESENT: Hon. Alex R. Munson, Chief Judge
Sanae Shmull, Court Reporter
K. Lynn Lemieux, Courtroom Deputy
Timothy Moran, Assistant U. S. Attorney
Craig Moore, Assistant U.S. Attorney
G. Anthony Long, Attorney for Defendant
Fermina Atalig, Defendant

Proceedings: Jury Trial - Day Four

Government by Timothy Moran and Craig Moore, AUSAs. Defendant, Fermina Atalig was present with counsel, Attorney Anthony Long. Also present was Dana McMahon, Special Agent for the FBI. 12 regular jurors and 2 alternate.

Government called witness:

NANETTE ESTRADA ATALIG. DX. Government moved to admit Ex. **1A** into evidence, no objection, Court so ordered. Government moved to admit Ex. **1B** into evidence, no objection, Court so ordered. **CX.** Witness was excused at 9:35 a.m.

Government called witness:

DEXTER L. MENDIOLA. DX by Craig Moore, AUSA. Government moved to admit Ex. **4A** (already in evidence). Government moved to admit Ex. **4B** (already in evidence). **CX.** Government moved to admit Ex. **32** into evidence, no objection, Court so ordered. Witness was excused at 10:25 a.m.

Court recessed at 10:25 a.m. and reconvened at 10:50 a.m.

Government called witness:

FLAVIAN B. HOCOG. DX by Timothy Moran, AUSA. **CX. RDX.** Government moved to admit Ex. **34** into evidence, no objection, Court so ordered. Witness was excused at 11:30 a.m.

Court recessed for lunch at 11:30 a.m. and reconvened at 1:10 p.m.

Government rested their case at 1:10 p.m.

Jurors were excused from the Courtroom.

Defense moved for Judgment of Acquittal and argued the motion. Government argued that the Rule 29 motion be DENIED. Court, after hearing argument, DENIED the motion as to Count I (Conspiracy). Court, after hearing argument, DENIED the motion for acquittal as to Counts II and VIII (False Documents)

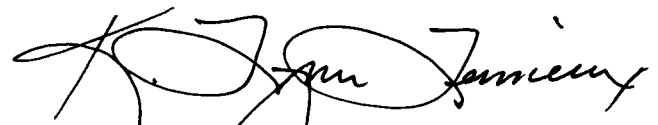
At 1:30 p.m. all jurors were brought back into the Courtroom.

Defense rested their case at 1:33 p.m.

Jurors were excused for the day at 1:35 p.m. and Court admonished them not to talk with anyone regarding the trial, or amongst themselves, and to return tomorrow at 9:00 a.m. to continue the trial. Jurors left the Courtroom.

Defense again moved for Judgment of Acquittal. No further argument from the Government. Court again DENIED the motion.

Adjourned at 1:40 p.m.



K. Lynn Lemieux
Courtroom Deputy

AO 187

EXHIBIT AND WITNESS LIST

U. S. A. -vs- FERMINA ATALIG					District Court Northern Mariana Islands
Government's Attorney		Defendant's Attorneys		Docket Number: CR-05-00004-001	
Timothy Moran and Craig Moore, AUSAs		G. Anthony Long, Esq.		Trial Date(s): February 27, 2006 - March 2, 2006	
Presiding Judge Alex R. Munson, Chief Judge		Court Reporter Sanae Shmull		Courtroom Deputy K. Lynn Lemieux	
GOV NO.	DEF. NO.	DATE OFFERED	Marked	Admitted	DESCRIPTION OF EXHIBITS AND WITNESSES
W1		02/27/06			ALFRED PANGELINAN
8		02/27/06	02/27/06	02/27/06	Memorandum to Bernadito Palacios from DUA Program Coordinator dated 03/25/03
9		02/27/06	02/27/06	02/27/06	Memorandum to Bernadito Palacios from DUA Program Coordinator dated 04/07/03
16		02/27/06	02/27/06	02/27/06	Letter to Fermina Atalig from Alfred Pangelinan dated 04/24/03.
10		02/27/06	02/27/06	02/27/06	Memorandum to Bernadito Palacios from DUA Program Coordinator dated 04/23/03
18		02/27/06	02/27/06	02/27/06	06/10/03 Letter to Jamie Bachinski from Alfred Pangelinan
15		02/27/06	02/27/06	02/27/06	04/23/03 Memo re Reimbursement to Rota DOL from DUA Program
14		02/27/06	02/27/06	02/27/06	Fermina Atalig Timesheet dated 01/24/03
17		02/28/06	02/28/06	02/28/06	04/28/03 Fax Letter to Alfred Pangelinan from Fermina Atalig.
11		02/28/06	02/28/06	02/28/06	06/05/03 Memo re Check Processing for DUA Program Beneficiaries List
12		02/28/06	02/28/06	02/28/06	7/11/03 Memo re Check Processing for DUA Program Beneficiaries List
	A	02/28/06	02/28/06	02/28/06	DUA Handbook
	W	02/28/06	02/28/06	02/28/06	Transmittal from Fermina Atalig to Alfred Pangelinan re: Disaster Assessment Report
	E	02/28/06	02/28/06	02/28/06	Travel Voucher Documents for Alfred Pangelinan
	X	02/28/06	02/28/06	02/28/06	Memo to Secretary, DOLI from Alfred Pangelinan
	Y	02/28/06	02/28/06	02/28/06	Letter to Mr. Armando Quiroz dated 4-8-2003
	Z	02/28/06	02/28/06	Admitted conditionally	Letter to Mr. Armando Quiroz dated 4-9-2003
	AA	02/28/06	02/28/06	02/28/06	Letter from John Humphrey of Us Department of Labor dated 4-10-2003
	Q	02/28/06	02/28/06	Admitted for limited purpose	April 2, 2003 letter from Mayor Manglona to Jamie Bachinski
	P	02/28/06	02/28/06		April 1, 2003 letter from Floria Plubs Mesngon to Thomas Manglona
	R	02/28/06	02/28/06	02/28/06	April 8, 2003 letter from Alfred Pangelinan to Armando Quiroz
22		02/28/06	02/28/06	02/28/06	Attachments to Defendant's Ex. Z (Letter to Armando Quiroz dated 4-9-2003)
23		02/28/06	02/28/06	02/28/06	Letter to Jamie Bachinski dated 1-23-2003
W2		02/28/06			DIANNE HOFF
13		02/28/06	02/28/06	02/28/06	DUA Handbook
20		02/28/06	02/28/06	02/28/06	Disaster Unemployment Assistance Brochure
	C	02/28/06	02/28/06	02/28/06	Transmittal from Jamie Bachinski to Dianne Hoff re: Guam Forms
	J	02/28/06	02/28/06	02/28/06	Rota DOLI who underwent training
	BB	02/28/06	02/28/06	02/28/06	Email from Dianne Hoff to Fermina Atalig on 02/28/2003
W3		03/01/06			ANGELINA ATALIG MANGLONA
24		03/01/06	03/01/06	03/01/06	Memo from Mayor Benjamin Manglona
2A		03/01/06	03/01/06	03/01/06	Hocog, Flavian - Application for Disaster Employment Assistance
2B		03/01/06	03/01/06	03/01/06	Hocog, Flavian - Affidavit re: Disaster Unemployment Assistance

*Include a notation as to the location of any exhibit not held with the case file or not available because of size.

GOV NO.	DEF. NO.	DATE OFFERED	Marked	Admitted	DESCRIPTION OF EXHIBITS AND WITNESSES
2C		03/01/06	03/01/06	03/01/06	Hocog, Flavian - Mayor's Certification
2		03/01/06	03/01/06	03/01/06	Hocog, Flavian - Notice of Determination of Entitlement
19		03/01/06	03/01/06	03/01/06	Mayor's Certification (Blank)
3A		03/01/06	03/01/06	03/01/06	Manglona, Ryan I. - Application for Disaster Employment Assistance
4		03/01/06	03/01/06	03/01/06	Mendiola, Dexter - Notice of Determination of Entitlement
4A		03/01/06	03/01/06	03/01/06	Mendiola, Dexter - Application for Disaster Employment Assistance
4C		03/01/06	03/01/06	03/01/06	Mendiola, Dexter - Mayor's Certification
1		03/01/06	03/01/06	03/01/06	Atalig, Nanette E. - Notice of Determination of Entitlement
1C		03/01/06	03/01/06	03/01/06	Ataliag, Nanette - Mayor's Certification
3C		03/01/06	03/01/06	03/01/06	Manglona, Ryan I.
5		03/01/06	03/01/06	03/01/06	Ramos, Joleen A - Notice of Determination of Entitlement
5C		03/01/06	03/01/06	03/01/06	Ramos, Joleen A - Mayor's Certification
6		03/01/06	03/01/06	03/01/06	Rosario, Sidney SN - Notice of Determination of Entitlement
6C		03/01/06	03/01/06	03/01/06	Rosario, Sidney SN - Mayor's Certification
7		03/01/06	03/01/06	03/01/06	Weilbacher, Lory Anne S. - Notice of Determination of Entitlement
7C		03/01/06	03/01/06	03/01/06	Weilbacher, Lory Anne S. Myor's Certification
4B		03/01/06	03/01/06	03/01/06	Mendiola, Dexter M. - Affidavit notarized by Barbara Dela Cruz (admitted into evidence by Defense)
	CC	03/01/06	03/01/06	03/01/06	Manglona, Molly - Notice of Determination
25		03/01/06	03/01/06	03/01/06	Agreement between U.S. Dept. Of Justice and Angelina A. Manglona
W4		03/01/06			SYDNEY SN ROSARIO
6A		03/01/06	03/01/06	03/01/06	Rosario, Sydney SN Rosario - Application for Disaster Employment Assistance
6B		03/01/06	03/01/06	03/01/06	Rosario, Syndey SN - Affidavit Re Disaster Unemployment Assistance
26		03/01/06	03/01/06	03/01/06	Agreement between U.S. Dept. Of Justice and Sydney SN Rosario
W5		03/01/06			LORY ANNE S. WEILBACHER
7A		03/01/06	03/01/06	03/01/06	Weilbacher, Lory Anne S. - Application for Disaster Employment Assistance
7B		03/01/06	03/01/06	03/01/06	Weilbacher, Lory Anne S. - Affidavit Re Disaster Unemployment Assistance
28		03/01/06	03/01/06	03/01/06	Agreement between U.S. Dept. Of Justice and Lory Anne Weilbacher
W6		03/01/06			JOLEEN A. RAMOS
5A		03/01/06	03/01/06	03/01/06	Application for Disaster Employment Assistance
5B		03/01/06	03/01/06	03/01/06	Affidavit Re Disaster Unemployment Assistance
29		03/01/06	03/01/06		Agreement between U.S. Dept. Of Justice and Joleen Ramos
W7		03/01/06			RYAN J. MANGLONA
30		03/01/06	03/01/06	03/01/06	Agreement between U. S Dept. Of Justice and Ryan Manglona
3B		03/01/06	03/01/06	03/01/06	Affidavit Re: Disaster Employment Assistance
W8		03/02/06			NANETTE ESTRADA ATALIG
1A		03/02/06	03/02/06	03/02/06	Application for Disaster Employment Assistance
1B		03/02/06	03/02/06	03/02/06	Affidavit Re Disaster Unemployment Assistance

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